

DT05 Rec'd PCT/PTO 23 DEC 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re

Patent Application of

Robert Scott Youngquist, et al.

Application No. 09/980,405

Filed: November 30, 2001

Confirmation No.: 1477

International Application No. PCT/US00/05651

Int'l Filing Date: 01 March 2000

Examiner: Frederick Smith

"SUBSTITUTED BIARYL ETHER
COMPOUNDS"

I, Sharon A. Johnson, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on the date of my signature.

Sharon A. Johnson
Signature

12-17-02
Date of Signature

*MOOT
see letter
of 2/26/03*

REQUEST FOR WITHDRAWAL OF ABANDONMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is responsive to the Notice of Abandonment mailed November 18, 2002. The Notice states that the Applicant did not respond to the Notification of Missing Requirements in a timely manner. The Applicant did respond to the Notice of Missing Requirements on February 21, 2002, which was well within the time limit of March 28, 2002. Enclosed are copies of papers sent in response to the Notice of Missing Requirements, including a copy of the "received" stamped postcard indicating receipt by the Office on February 21, 2002, along with a copy of the Notification of Abandonment.

In view of the foregoing, Applicant respectfully requests that this Notice of Abandonment be withdrawn and for consideration of the application on the merits.

Respectfully submitted,

Timothy M. Kelley
Timothy M. Kelley
Reg. No. 34,201

File No. 092271-9012-01

Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4108
(414) 271-6560



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

| | | |
|---|--|--|
| U.S. APPLICATION NUMBER NO. 09/980,405 | FIRST NAMED APPLICANT Robert Scott Youngquist | APP-DOCKET NO. 092271-9012 |
| INTERNATIONAL APPLICATION NO. PCT/US00/05251 | | |
| I.A. FILING DATE 03/01/2000 | PRIORITY DATE | |

✓ Timothy M Kelley
Michael Best & Friedrich
100 East Wisconsin Avenue
Milwaukee, WI 53202

Michael, Best & Friedrich LLP
RECEIVED

NOV 25 2002

DOCKETING
MILWAUKEE, WI

CONFIRMATION NO. 1477

**371
ABANDONMENT/TERMINATION
LETTER**



OC000000009120615

Date Mailed: 11/18/2002

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS, mailed 01/28/2002 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

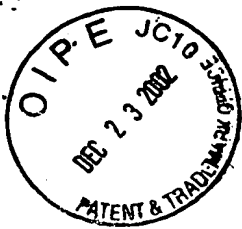
FREDERICK SMITH

Telephone: (703) 305-3654

PART 3 - OFFICE COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

on 12/18/02
to File Petition
PCT 2/21
PTO Rec'd 2/21
PJ



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re

Patent Application of

Youngquist, et al.

Serial No. 09/980,405
(U.S. National Phase of PCT/US00/05251)

Filed: 30 November 2001
(International Filing Date: 01 March 2000)

SUBSTITUTED BIARYL ETHER
COMPOUNDS

Express Mail mailing label: EL671384177US

I, Nancy Dragolovich, hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date of my signature and is addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231.


Signature

21 Feb 2002
Date

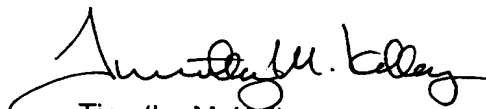
RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Notification of Missing Requirements under 35 U.S.C. 371 which was mailed 28 January 2002 and a copy of which is attached. Please note that a Declaration by the inventors was filed in the international application on 08 December 2000. A copy is attached. Because this Declaration was timely filed within thirty (30) months from the priority date, no surcharge is due. However, should the Patent Office for some reason still require additional fees, authorization to debit deposit account number 13-3080 is hereby provided.

Respectfully submitted,



Timothy M. Kelley
Reg. No. 34,201

File No. 092271-9012
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, WI 53202
(414) 271-6560

RECEIVED
MAR 27 2003
TECH CENTER 1600/2900



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

| | | |
|---|--|------------------------------------|
| U.S. APPLICATION NUMBER NO. 09/980,405 | FIRST NAMED APPLICANT Robert Scott Youngquist | ATTY. DOCKET NO. 092271-9012 US |
| INTERNATIONAL APPLICATION NO. PCT/US00/05251 | | |
| LA. FILING DATE 03/01/2000 | | PRIORITY DATE |

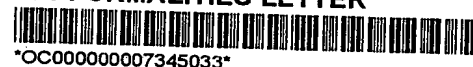
✓ Timothy M Kelley
Michael Best & Friedrich
100 East Wisconsin Avenue
Milwaukee, WI 53202

Michael Best & Friedrich LLP
RECEIVED

FEB 07 2002

DOCKETING
MILWAUKEE, WI

CONFIRMATION NO. 1477
371 FORMALITIES LETTER



OC000000007345033

Date Mailed: 01/28/2002

Due 3/28/02

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

DOCKETED
Date 2/7/02

also on
GJH's
doctet

FREDERICK SMITH

Telephone: (703) 305-3654

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 09/980,405 | PCT/US00/05251 | 092271-9012 |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re

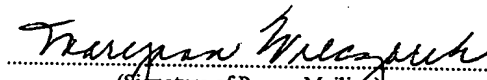
Express Mail mailing label no. EL417146685US

International Application of

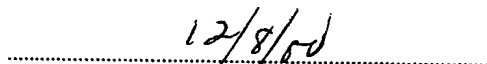
The University of Texas Southwestern Medical
Center

I, Maryann Wiczorek, hereby certify that on the date
of my signature this paper or fee is being deposited
with the United States Postal Service "Express Mail
Post Office to Addresses" service under CFR 1.10 and
is addressed to the Assistant Commissioner for Patents,
Box PCT, Washington, D.C. 20231.

International Application No.
PCT/US00/05251


(Signature of Person Mailing)

International Filing Date:
1 March 2000 (01.03.00)


(Date)

SUBSTITUTED BIARYL ETHER
COMPOUNDS

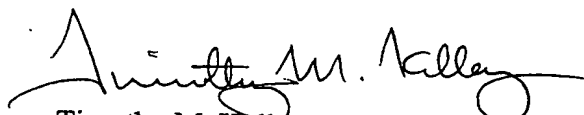
TRANSMITTAL LETTER FOR DECLARATION
AND POWER OF ATTORNEY

BOX PCT
Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

Enclosed please find a copy of a Declaration Combined with Power of Attorney
executed by the U.S. inventors identified for this International PCT Application. Please note
that the correspondence address should not be changed for the application. Rather, please
note the Notification concerning the change of agent dated 02 November 2000 naming the
undersigned.

Respectfully submitted,


Timothy M. Kelley

File No. 92271/9012
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Milwaukee, WI 53202
(414) 271-6560
X:\CLIENTB\92271\9012\A0090622

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Substituted Biaryl Ether Compounds the specification of which

(check ☐ is attached hereto.
one) ☒ was filed on March 1, 2000 as United States Application No.
or PCT International Application Serial No. PCT/US 00/05251
and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations §1.56.

I hereby claim foreign priority benefits under Title 35 United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

60/136,958

6/1/99

Application Serial No.

Filing Date

Application Serial No.

Filing Date

I hereby claim the benefit under Title 35 United States Code §120 of any United States application(s), or §365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35 United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| U.S. Parent Application Number | PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (If applicable) |
|--------------------------------|-------------------|---------------------------------|--------------------------------------|
| | | | |

As named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

| Name | Reg. No. | Associate Power of Attorney Attached |
|--------------------|----------|---|
| Jacobus. C. Rasser | 37,043 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| T. David Reed | 32,931 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Bart S. Hersko | 32,572 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Leonard W. Lewis | 30,769 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| David L. Suter | 30,692 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Timothy B. Guffey | 41,048 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Catherine U. Brown | 44,565 | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

SEND CORRESPONDENCE TO:

Catherine U. Brown

The Procter & Gamble Company

(513) 627-1637

Name

Phone No.

Miami Valley Laboratories, P. O. Box 538707, Box 633, Cincinnati, Ohio 45253-8707

Street

City

State

Zip Code

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor Robert Scott Youngquist

Inventor's signature _____

3/16/2000
Date

Residence 8511 Charleston Knoll Court, Mason, OH 45040

Citizenship U.S.

Post Office Address The Procter & Gamble Company, Miami Valley Laboratories
11810 East Miami River Rd, Ross, Ohio 45061

Full name of second joint inventor, if any John McMillan Motyer

Inventor's signature _____

3/20/00
Date

Residence 9999 Indian Springs Drive, Cincinnati, OH 45241

Citizenship U.S.

Post Office Address The Procter & Gamble Company, Miami Valley Laboratories
11810 East Miami River Rd., Ross, Ohio 45061

- () Transmittal Letter
 () PATENT APPLICATION
 () Specification (incl. Claims if any) _____ Pgs.
 () Abstract of Disclosure
 () Information Disclosure Statement
 () Patent Copies
 (x) Declaration & Power of Attorney *Copied*
 () Declaration Claiming Small Entity Status
 () Assignment and Cover Sheet
 () Drawings _____ Sheets
 (x) Response to Missing Parts Notice *Requirements*
 () Response to Office Action/Amendment
 () Request for Ext. of Time for filing (_____)
 () Issue Fee Transmittal
 () Formal Drawings _____ Sheets
 () Maintenance Fee Transmittal
 () Fee Amount \$ _____ Check No. _____
 () Fee Amount \$ _____ Check No. _____
 () Other (Specify) _____

JC20 Rec'd PCT/PTO 21 FEB 2002

- () Transmittal Letter
 () PATENT APPLICATION
 () Specification (incl. Claims if any) _____ Pgs.
 () Abstract of Disclosure
 () Information Disclosure Statement
 () Patent Copies
 (x) Declaration & Power of Attorney *Copied*
 () Declaration Claiming Small Entity Status
 () Assignment and Cover Sheet
 () Drawings _____ Sheets
 (x) Response to Missing Parts Notice *Requirements*
 () Response to Office Action/Amendment
 () Request for Ext. of Time for filing (_____)
 () Issue Fee Transmittal
 () Formal Drawings _____ Sheets
 () Maintenance Fee Transmittal
 () Fee Amount \$ _____ Check No. _____
 () Fee Amount \$ _____ Check No. _____
 () Other (Specify) _____

Inventor: _____

Title: _____

() Serial/Patent No. 09/980405

Due Date: 3-28-02 Mail Date: 2-21-02

File No.: 0922719012 Attorney: TMK

MAR 05 2002

Inv ntor: _____
 Title: _____
 DOCKETING
 MILWAUKEE, WI

() Serial/Patent No. 09/980405

Due Date: 3-28-02 Mail Dat : 2-21-02

File No.: 0922719012 Attorney: TMK

POST OFFICE TO ADDRESSEE



EL671384177US

EL671384177US

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE

Customer Copy
Label 11-F July 1997

ORIGIN (POSTAL USE ONLY)

| | | |
|--|--|--|
| PO Zone Code 7102 | Day of Delivery <input checked="" type="checkbox"/> First <input type="checkbox"/> Second | Flat Rate Envelope <input type="checkbox"/> |
| Date In 7/1/97 | <input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | Postage \$ 12.45 |
| No. of Pieces 1643 | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee |
| Time In <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM | Int'l Alpha Country Code | COD Fee Insurance Fee |
| Weight lbs. 2 oz. 2 | Acceptance Clerk Initials [Signature] | Total Postage & Fees \$ 12.45 |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | | |

CUSTOMER USE ONLY

| | |
|---|---|
| METHOD OF PAYMENT: Express Mail Corporate Acct. No. X532939 | <input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only: Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.) |
| Federal Agency Acct. No. or Postal Service Acct. No. | <input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday |

FROM: (PLEASE PRINT) PHONE ()
IP DOCKETING
MICHAEL BEST & FRIEDRICH
100 E WISCONSIN AVE FL 29
MILWAUKEE WI 53202-4107

TO: (PLEASE PRINT) PHONE ()
BOX PCT
ASSISTANT COMMISSIONER
FOR PATENTS
WASHINGTON DC 20231-9999

Q92271-9012-US/TKelley/NDragolovich

PRESS HARD.

You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.gov



373
F02
124